

Serial No. 10/785,326

X11057C

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Amendments to the Claims

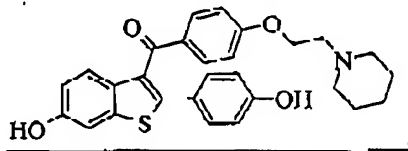
Without prejudice or disclaimer, this listing of claims will replace all prior versions and listing of claims in this application.

1-13, 15-17, 20-22, 24, 26-144 Previously Cancelled

14, 18, 23 and 25 Presently Cancelled

19. (Presently amended) The method of Claim ~~44~~ 145 wherein said ~~term is~~ composition is administered to said woman for at least six months.

145. (New) A method for reducing the likelihood of incurring or developing estrogen-dependent breast cancer in a post-menopausal woman diagnosed as being in need of such therapy which comprises administering orally to said woman a once-daily dose of a pharmaceutical composition wherein said composition comprises about 60 mg of the hydrochloride salt of a compound of the formula



146. (New) The method of claim 145 wherein said composition is administered to said woman chronically.

147. (New) The method of claim 145 wherein said incurrence or development of breast cancer is *de novo*.

148. (New) The method of claim 146 wherein said incurrence or development of breast cancer is *de novo*.

149. (New) The method of claim 145 wherein said woman is at increased risk of incurring or developing breast cancer.

150. (New) The method of claim 146 wherein said woman is at

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increased risk of incurring or developing breast cancer.

151. (New) The method of claim 147 wherein said woman is at increased risk of incurring or developing breast cancer.

152. (New) The method of claim 148 wherein said woman is at increased risk of incurring or developing breast cancer.

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Introduction

Claims 19 and 145-152 are pending in the instant application.

Claims 14, 18, 23 and 25 have been cancelled herewith.

Claim 19 has been amended and claims 145-152 have been added herewith. New claim 145 finds support at least by original claims 14, 18, 19 and 23 and the passages at page 10, lines 18 to 22; page 11, lines 5 to 12; page 14, line 36 through page 15, line 4; and page 15, lines 33-34. New claim 146 finds support at least by original claim 22. New claims 147 and 148 find support at least by original claim 25. New claims 147-152 find support at least by the passage at page 10, lines 33-36. Therefore, no new matter is presented.

Claim 14 stands objected to as awkward.

Claims 14, 18-19, 23 and 25 stand rejected under 35 U.S.C. §112, 1st paragraph.

Claims 14, 18-19, 23 and 25 stand rejected under 35 U.S.C. 103(a) over U.S. Patent No. 6,458,811 (the '811 patent).

Claims 14, 18-19, 23 and 25 stand rejected under the judicially created doctrine of obviousness-type double patenting (JCDOTDP) over claims 1, 7, 14 and 17 of the '811 patent.

Claims 14, 18-19, 23 and 25 stand rejected under the JCDOTDP over claims 1-19 of U.S. Patent No. 6,303,634 (the '634 patent).

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